

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DETOREI CRAIN,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 3:09-CV-2353-D
VS.	§	
	§	
CREDIT PROTECTION ASSOCIATION,	§	
et al.,	§	
	§	
Defendants.	§	

**ORDER**


After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge listed below, the court concludes that the findings and conclusions are correct. It is therefore ordered that the following findings, conclusions, and recommendation of the magistrate judge are adopted: May 10, 2010 [docket no. 45]; May 13, 2010 [docket nos. 50 and 51]; May 19, 2010 [docket no. 53]; May 21, 2010 [docket nos. 57 and 58]; and June 7, 2010 [docket nos. 65, 66, and 67].

Accordingly, the following motions are granted: Capital One Auto Finance's April 8, 2010 motion to dismiss [docket no. 11]; Midland Credit Management Inc.'s April 19, 2010 motion to dismiss [docket no. 15]; Asset Acceptance LLC's April 20, 2010 motion to dismiss [docket no. 17]; defendant Jefferson Capital Systems LLC's April 26, 2010 motion to dismiss [docket no. 23]; Landsafe Credit's April 29, 2010 motion to dismiss [docket no. 29]; Americredit Financial Service's April 30, 2010 motion to dismiss [docket no. 31]; Prestige Financial Services' May 6, 2010 motion to dismiss [docket no. 40]; Marquette Consumer Finance, Inc.'s May 7, 2010 motion to dismiss [docket no. 43]; and Meta Bank's May 13, 2010 motion to dismiss [docket no. 52].

No later than August 4, 2010, plaintiff must file an amended complaint that states a claim on which relief can be granted as to each defendant whose motion to dismiss has been granted by this order. If he fails to amend as to a particular defendant or defendants, the court will dismiss his action as to that defendant or defendants based on this order and without the necessity of an additional motion to dismiss. If he timely amends as to a particular defendant or defendants, but he fails to state a claim on which relief may be granted, the defendant or defendants may move anew to dismiss under Fed. R. Civ. P. 12(b)(6) or for other available relief.

**SO ORDERED.**

July 20, 2010.

  
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SIDNEY A. FITZWATER  
CHIEF JUDGE